

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARC BERLEY, Individually and Derivatively on
Behalf of Walter & Samuels, Inc.

Plaintiff,

-against-

WILLIAM HESSE and LESLIE CROFT,

Defendants.

23-CV-10563 (PAC) (RFT)

ORDER

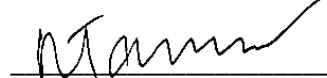
ROBYN F. TARNOFSKY, United States Magistrate Judge:

On February 1, 2024, Plaintiff filed his Second Amended Complaint ("SAC") (ECF 14). The filing of the SAC was neither authorized nor contemplated by the existing scheduling order. (See ECF 13.) Accordingly, I am scheduling this action for a telephonic status conference on **Wednesday, February 7, 2024 at 9:30 AM**. Counsel for the parties are directed to call my Microsoft Teams conference line at the scheduled time. **Please dial (646) 453-4442, Access Code: 940 267 234 #.**

Plaintiff should be prepared to discuss its basis under the Federal Rules for filing its SAC; Defendants should be prepared to discuss their position on the filing of the SAC, and their intended response to that pleading if the Court permits its filing.

DATED: New York, New York
February 5, 2024

SO ORDERED.



ROBYN F. TARNOFSKY

United States Magistrate Judge